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SERVICE DATE – LATE RELEASE JUNE 29, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 614X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN RICHMOND COUNTY, GA

Decided: June 29, 2005

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 FR 1152 Subpart F—Exempt Abandonments to abandon approximately 1.60 miles of railroad from Valuation Station 0+00 at milepost ANS 0.2 to Valuation Station 84+44, in Augusta, Richmond County, GA.¹ On July 16, 2002, a decision and notice of interim trail use or abandonment (NITU) was served that reopened the proceeding and authorized a 180-day period for Augusta-Richmond County, GA (County), to negotiate an interim trail use/rail banking agreement with CSXT, for the right-of-way involved in this proceeding. At the request of CSXT, the negotiating period was extended several times. The latest extension, granted by decision served January 14, 2005, is scheduled to expire on June 29, 2005. The January 14, 2005 decision also extended until August 28, 2005 the deadline for CSXT to file its notice of consummation.

On June 28, 2005, CSXT filed a request for a 180-day extension of the negotiating period until December 26, 2005. CSXT states that it has not consummated the abandonment, that it has been unable to finalize negotiations with the County, and that it desires to continue to negotiate for interim trail use/rail banking with the County. Additionally, CSXT requests an extension of the consummation deadline until February 24, 2006.

Because an extension of the consummation notice filing deadline and the NITU negotiating period will promote the establishment of trail use and rail banking consistent with the Trails Act, and the rail carrier has indicated its willingness to continue negotiations by requesting an extension, the requested extensions will be granted. See Policy Statement of Rails to Trails Conversions, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990). Accordingly, the NITU negotiation period will be extended to December 26, 2005, and the consummation notice filing deadline will be extended to February 24, 2006.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ Notice of the exemption was served and published in the Federal Register on June 6, 2002 (67 FR 39097-98).

It is ordered:

1. CSXT's request for an extension of the negotiating period and its request for an extension of time to exercise the abandonment authority is granted.
2. The negotiating period under the NITU is extended until December 26, 2005.
3. The authority to abandon must be exercised on or before February 24, 2006.
4. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary